

IDAHO BOARD OF SOCIAL WORK EXAMINERS
Division of Occupational and Professional Licenses
P.O. Box 83720
Boise, ID 83720-0063

Conference Call Minutes of 7/27/2021

BOARD MEMBERS PRESENT: Dr. Donna Lynn Schmid - Chair
Jeri Perkins
April Christenson
Lynnet R Keeley
Virginia K Dickman

BOARD MEMBERS ABSENT: Dr. Alex Zamora

DIVISION STAFF: Russell Barron, Division Administrator
Anne Lawler, Bureau Chief
Julie Eavenson, Licensing Group Manager
Lori Peel, Investigative Unit Manager
Nicholas Crema, General Counsel
Tyler Williams, Board Prosecutor
Lizzie Kukla, Team Lead
Candace Villareal, Board Specialist

OTHERS PRESENT: Misty Lawrence, Division of Financial Management

The meeting was called to order at 9:00 AM MDT by Dr. Donna Lynn Schmid.

APPROVAL OF MINUTES

Ms. Dickman made a motion to approve the minutes of April 27, 2021, and May 20, 2021. Jeri Perkins seconded the motion. Motion carried.

LAWS AND RULES

Mr. Crema presented a legislative update. He shared that legislation related to the Division passed the legislature. He further explained the status of the Administrative Rules' reauthorization. The Rules took effect July 1, 2021

DIVISION UPDATE

Ms. Lawler presented a Division update. As of July 1, 2021 the Division is financially one unit. The Division continues working toward efficiencies in staffing, supplies, and building among the three sections.

FINANCIAL REPORT

Ms. Eavenson gave the financial report, which indicated that the Board had a cash balance of \$116,549.59 as of June, 30, 2021.

DIVISION BUSINESS

The Board reviewed the To Do List and discussed Rule 201.02. Mr. Crema established that there are two issues at hand: 1. Can people practice without a supervision plan? and 2. What is the appropriate way to proceed with licensees who plan to work under a supervision plan for their whole career?

Ms. Keeley stated that the Board must trust supervisors to supervise a licensee because the Board itself can't supervise every social worker.

Dr. Schmid agreed, and concluded through discussion that the Board is ok with social workers receiving supervision for an indefinite amount of time, with no intention to test and pursue a clinical license, until a licensee finds an alternative that allows them enter into private practice.

Mr. Crema stated the only way to monitor this is under a supervision plan. He added that without a supervision plan, a social worker receiving supervision is in violation of the law and rule. Mr. Crema concluded that zero based regulation law and rule review will present an opportunity for the board to clarify the rules regarding this issue, and that perhaps there is room for a new class of licensure for social workers who want to practice under a supervisor for an indefinite amount of time. Ms. Lawler emphasized that this would allow the Board to place responsibility for supervision with the supervisor.

The Board directed the Division staff to include proposed changes to the rules section of the To Do List until the Board has a time certain to propose this rule change. Ms. Lawler added that a new form, or language on the existing form, is needed to address social workers who plan to receive supervision for an indefinite amount of time. Language needs to include that a supervision plan is required for all social workers receiving supervision, even when not seeking clinical licensure.

BOARD BUSINESS

Ms. Dickman made a motion to approve payment of annual dues of \$250.00 to the Association of Social Work Boards (ASWB). Ms. Christensen seconded the motion. Motion carried.

The Board rotated the Board chairman to the person in the fourth year of their five-year term, pursuant to Idaho Code § 54-3203. The chair for the 2021-2022 year is Ms. Ginny Dickman.

The Board discussed Board member roles and responsibilities. Board members shared division of roles reviewing documents between Board meetings. Board members worked to even out the workload.

The Board discussed minimum requirements for exam and endorsement applications. Ms. Lawler clarified that Board members need to be careful to follow the letter of the law in enforcing exam requirements. Mr. Crema clarified that Board members who are not comfortable approving an application between Board meetings should send the application to the Board for review at the next Board meeting. These applications should not be discussed with another Board member or referred to another Board member for review.

Ms. Lawler discussed Board governance versus Board operations in relation to supervision plans and other documents for Board review. She stated that the ultimate goal is to relieve the Board of much of the operations work done between meetings as part of the transition to a licensing division.

Dr. Schmid agreed to draft standard language to respond to questions regarding private versus independent practice. Once complete, it will be sent to legal counsel for review.

COMPLAINT MEMORANDUM

Ms. Peel gave the investigative report, which is linked above.

FOR BOARD DETERMINATION

Ms. Dickman made a motion to approve the Division's recommendation and authorize closure in case number(s) I-SWO-2020-5, I-SWO-2020-15, I-SWO-2020-19, I-SWO-2020-36, I-SWO-2020-39, I-SWO-2021-12, I-SWO-2021-22, I-SWO-2021-25, I-SWO-2021-26, I-SWO-2021-30, I-SWO-2021-32, I-SWO-2021-33, I-SWO-2021-36. Ms. Perkins seconded the motion. Motion carried.

EXECUTIVE SESSION

Ms. Dickman made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code § 74-106(9). The purpose of the executive session was to discuss documents relating to the fitness of a licensee to retain a license or registration. Ms. Perkins seconded the motion. The vote was: Dr. Schmid, aye; Ms. Dickman, aye; Ms. Christensen, aye; Ms. Keeley, aye; and Ms. Perkins, aye. Motion carried.

Ms. Christensen made a motion to come out of executive session. Ms. Dickman seconded the motion. Motion carried.

DISCIPLINE

Mr. Williams presented a memorandum regarding case numbers I-SWO-2021-4, and I-SWO-2021-8. After discussion, the Board gave recommendations for appropriate discipline.

Ms. Perkins made a motion to approve Findings of Fact and Conclusions of Law and Final Order in case number I-SWO-2021-15 and to authorize the Board chair or a designee to execute the final order. Ms. Keeley seconded the motion. Motion carried.

EXECUTIVE SESSION

Ms. Dickman made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code § 74-106(9). The purpose of the executive session was to consider documents relating to the fitness of an applicant to be granted a license or registration. Ms. Perkins seconded the motion. The vote was: Dr. Schmid, aye; Ms. Dickman, aye; Ms. Christensen, aye; Ms. Keeley, aye; and Ms. Perkins, aye. Motion carried.

Ms. Christensen made a motion to come out of executive session. Ms. Dickman seconded the motion. Motion carried.

APPLICATIONS

Ms. Dickman made a motion to approve the following for examination:

901184362
901184784

Ms. Christensen seconded the motion. Motion carried.

Ms. Dickman made a motion to approve the following for out of state hours:

Aubrey Peterson

Ms. Christensen seconded the motion. Motion carried.

Ms. Christensen made a motion to deny the following new supervision plans based on IDAPA Rule 24.14.01.201.02, which states, "Masters social work can include independent practice, but not private practice." These denials are also based on Idaho Code §54-3207, which defines the private practice of social work as "independent practice in which an individual is responsible for the contractual conditions of payment with clients, agencies and institutions.":

901176758
901111227

Ms. Dickman seconded the motion. Motion carried.

Ms. Dickman made a motion regarding the request for the inquiry regarding potential impact of licensure for Mikayla Rios. The Board finds no reason why Ms. Rios should not pursue licensure under the law and rules of the Board of Social Work Examiners. This request is being made pursuant to Idaho Code §67-9410.

Ms. Christensen second the motion. Motion carried.

NEXT MEETING was scheduled for Tuesday, October 26, 2021 at 9:00 AM MDT.

ADJOURNMENT

Ms. Dickman made a motion to adjourn the meeting at 12:18 PM MDT. Ms. Perkins seconded the motion. Motion carried.